

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

MILLER BREWING COMPANY,

Plaintiff,

Case No. 05-C-1307

v.

MOLSON COORS BREWING COMPANY,
MOLSON INC., and MOLSON CANADA 2005,

Defendants.

OPINION AND ORDER

Having considered the briefs and other papers filed by the parties, the court ORDERS that the “Defendants’ Motion to Stay or Dismiss Based Upon International Abstention and Forum Non Conveniens” (filed February 8, 2006) IS DENIED. The movants have not persuaded the court that there is any extraordinary circumstances warranting a stay which outweigh this court’s “unflagging obligation” to exercise jurisdiction even when a similar action has been filed in another jurisdiction. See Colorado River Water Conservation District v. United States, 424 U.S. 800, 817 (1976). Likewise, the movants have not presented any facts which outweigh the Plaintiff’s choice of forum. The Defendants have not shown that the Eastern District of Wisconsin forum would be oppressive and vexatious out of all proportion to the Plaintiff’s convenience. See Piper Aircraft Company v. Reyno, 454 U.S. 235, 241 (1981); In re Bridgestone/Firestone, Inc., 420 F.3d 702, 704 (7th Cir. 2005).

Done and Ordered in Chambers at the United States Courthouse,
Milwaukee, Wisconsin, this 30th day of May, 2006.

s/ Thomas J. Curran
Thomas J. Curran
United States District Judge